



#27 / Notice of Appeal
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For a Small Entity

PATENTS
MOSS-1

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re : Robert Allen Moss et al.
application of

Application No. : 09/627,146 Confirmation No. : 1215

Filed : July 27, 2000

For : BALL HITTING PRACTICE APPARATUS

Group Art Unit : 3711

Examiner : Michael S. Chambers

RECEIVED

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TECHNOLOGY CENTER R3700

New York, New York 10020
September 29, 2003

Mail Stop AF
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

NOTICE OF APPEAL

Sir:

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner mailed May 28, 2003 in which the rejection of claims 1-35, 37-39, 41-44, 46, and 59-63 was made final.

[] Applicants respectfully request an oral hearing before the Board of Appeals. The appropriate fee is submitted herewith.

[X] Pursuant to 37 C.F.R. § 1.136(a), applicants hereby petition for a one-month extension of the shortened statutory period set for response to the May 28, 2003 final Office Action, to make the date for response September 29, 2003 (September 28, 2003 is a Sunday). The appropriate fee is submitted herewith.

10/02/2003 AHONDAP1 00000097 09627146

160.00 DP
55.00 DP

01 FC:2401
02 FC:2251

[X] Address all correspondence to:

James A. Leiz
FISH & NEAVE
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000

[X] A check in the amount of [X] \$160.00 [] \$300.00 in payment of the [X] appeal fee, [] appeal and oral hearing fees, is enclosed.

[X] The Director is hereby authorized to charge payment of any additional appeal fee, oral hearing fee, or both, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

EXTENSION FEE

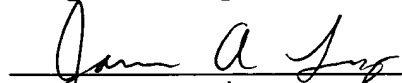
[X] The following extension fee is applicable to the Notice of Appeal filed herewith; [X] \$55.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a)(1); [] \$205.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a)(2); [] \$465.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a)(3); [] \$725.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a)(4); [] \$985.00 extension fee for fifth month pursuant to 37 C.F.R. 1.136(a)(5).

[X] A check in the amount of [X] \$55.00; [] \$205.00; [] \$465.00; [] \$725.00; [] \$985.00; in payment of the extension fee is transmitted herewith.

[X] The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-

1075. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,



James A. Leiz
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